

ATTORNEY DKT NO.: K0208-0013

PATENT

#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Iijima, Kazumi
Serial No.: 09/647,279
Art Unit: Not Yet Known
Examiner: Not Yet Known
Filed: September 26, 2000
Title: PLASTIC SYRINGE BARREL AND METHOD OF IMPROVING SAME

Hon. Assistant Commissioner for Patents
Washington, D.C. 20231
BOX PCT

EXPRESS MAIL CERTIFICATE

Express Mail Label No.: EH 835610993 US Date of Deposit: June 3, 2002

I hereby certify that the following attached papers:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office Cover Letter;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office;
3. Copy of Express Mail Certificate dated July 18, 2001;
4. Copy of Return Postcard date stamped by OIPE July 18, 2001;
5. Copy of Express Mail Label EL625996565US date stamped July 18, 2001;
6. Copy of check # 108856 in the amount of \$130.00;
7. Copy of Fee Transmittal dated July 18, 2001;
8. Copy of Power of Attorney signed and dated June 22, 2001;
9. Copy of Transmittal Form dated July 18, 2001;
10. Copy of Declaration for Utility or Design Patent Application signed and dated June 22, 2001;
11. Copy of USPTO Filing Receipt dated 12/26/2001, and;
12. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box PCT, Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231.

ANTHONY BROWN

(Printed name of person mailing paper(s) or fee)

Anthony Brown

(Signature of person mailing paper(s) or fee)

Mailing Address:
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036-6710
Telephone: (212) 336-2000
Facsimile: (212) 336-2222

PC DOCS

ATTORNEY DKT. NO.: K0208.13

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Iijima, Kazumi	Group Art Unit: Not Yet Known
Filed:	September 26, 2000	
U.S. Serial No.:	09/647,279	Examiner: Not Yet Known
For:	PLASTIC SYRINGE BARREL AND METHOD OF IMPROVING SAME	

Honorable Commissioner of Patents & Trademarks
Washington, D.C. 20231
BOX PCT

June 3, 2002

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Sir:

This is in response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," dated April 1, 2002 in the above-captioned application. A copy of the notification is enclosed. The notification states that an oath or declaration in compliance with 37 C.F.R. § 1.497(a) and (b) is missing from the application file and must be submitted within two months of the date of the notice.

Applicant believes that the April 1, 2002 Notice is in error and that all required application materials, including a declaration, have been submitted in this application.

Applicant encloses a copy of Express Mail Certificate for Express Mail Label No. EL625996565US, certifying that on July 18, 2001, the following documents were deposited with the United States Postal Service's "Express Mail" service under 37 C.F.R. § 1.10, addressed to the Assistant Commissioner of Patents, Washington, D.C. 202131, for submission in U.S. Patent Application Serial No. 09/647,279:

1. Declaration for Utility Patent Application;
2. Transmittal Form;
3. Power of Attorney;
4. Fee Transmittal Form; and
5. Check for \$130

Applicant also encloses copies of the five documents listed above, as well as a copy of Express Mail Label No. EL625996565US, and a copy of a stamped return-receipt postcard indicating that the Patent and Trademark Office received those documents by Express Mail dated July 18, 2001.

Applicant thus respectfully submits that the declaration of the inventor was sent to the Patent and Trademark Office on July 18, 2001 and that the April 1, 2002 Notification of Missing Requirements is incorrect in stating that the declaration is missing from the application file.

Applicant believes that the declaration and other papers submitted on July 18, 2001, may have been placed inadvertently in another application file. Applicant encloses a copy of a filing receipt dated December 26, 2001, for U.S. Patent Application Serial No. 09/674,279, which has an application number that differs from the application number of the present case only in that two of the digits are transposed. The filing receipt for application number 09/674,279 lists the same inventor, but, among other things, lists a different invention title, a different priority application, and a different filing date for the international application. The filing receipt indicates that the Patent and Trademark Office received the 35 U.S.C. § 371(c)(1), (c)(2) and (c)(4) requirements for that case on July 18, 2001, the same date on which Applicants in the present case submitted the declaration and other documents mentioned above. These circumstances may explain why the Patent and Trademark Office is not aware of the inventor's declaration in the present case.

Applicant respectfully submits that this response to the Notification of Missing Requirements is timely and within the two month period for response set forth in that Notification. Although no fee is believed to be due in connection with this paper, the Assistant Commissioner is hereby authorized to charge (or credit) Deposit Account No. 16-0633 with any additional fees or overpayments which arise in connection with this paper.

The undersigned may be reached at 212-336-2671 or at the mailing address below.

Respectfully submitted,



Neal K. Feivelson
Reg. No. 41,740
Attorney for Applicant

Dated:

June 3, 2002

Mailing address:

PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036

Please type a plus sign (+) inside this box → ☐

PCT National Phase Application

PTO/SB/21 (08-00)

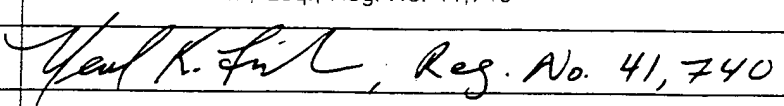
Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/647,279	
	Filing Date	September 26, 2000	
	First Named Inventor	Kazumi Iijima	
	Group Art Unit	N/A	
	Examiner Name	N/A	
Total Number of Pages in This Submission	6	Attorney Docket Number	K0208-013

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	-Declaration for Utility Patent Application.
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	- Express Mail Certificate
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Neal K. Feivelson, Esq., Reg. No. 41,740
Signature	
Date	July 18, 2001

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <input type="text"/>		
Typed or printed name		
Signature		Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PCT National Phase Application

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 130.00

Complete if Known

Application Number	09/647,279
Filing Date	September 26, 2000
First Named Inventor	Kazumi Iijima
Examiner Name	N/A
Group Art Unit	N/A
Attorney Docket No.	K0208-013

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	16-0633
Deposit Account Name	Patterson, Belknap

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent Claims	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 30	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	
Other fee (specify)		Surcharge for Oath 30 months from Priority Date per 37 CFR 1.492(e)	130.00
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	130.00

SUBMITTED BY

Name (Print Type)	Neal K. Feivelson, Esq.	Registration No. (Attorney/Agent)	41,740	Telephone	(212) 336-2000
Signature	Neal K. Feivelson, Esq. Reg. No. 41,740			Date	07/18/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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PATTERSON, BELKNAP, WEBB & TYLER LLP

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Private Banking Division
153 East 53 Street
New York, New York 10043

108856

1-8/210

07/13/01

ONE HUNDRED THIRTY AND 00/100 DOLLARS

PAY TO THE ORDER OF

Commissioner of Patents

Washington, DC 20231

PATTERSON, BELKNAP, WEBB & TYLER LLP



\$130.00*****

Two Signatures Required if over \$100,000

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